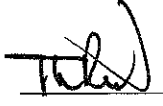



RESOLUTION NUMBER 2011-17

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A MINOR DEVELOPMENT PLAN AND CONDITIONAL USE APPROVAL FOR PROPERTY IN THE HISTORIC NEIGHBORHOOD COMMERCIAL (HNC-3) ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 108-91 (A.)(1)(b.) AND (c.) AND 122-868 (9) OF THE CODE OF ORDINANCES, ALLOWING THE ADDITION OF 900 SQUARE FEET OF CONSUMPTION AREA, AND THE ADDITION OF 60 SEATS, A COMBINATION OF WHICH ARE PROPOSED INDOORS AND OUTDOORS TO BE LOCATED AT 305 PETRONIA STREET, 309 PETRONIA STREET, 729 THOMAS STREET, (RE# 00013250-000000,00013270-000000,00013260-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 108-91 (A.)(1)(b.) of the Land Development Regulations provides that the addition or reconstruction of 500 to 2,499 square feet of gross floor area within the City's historic district requires minor development plan approval; and

WHEREAS, Section 108-91 (A.) (1)(c.) of the Land Development Regulation requires that the addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities of 500 to 2,499 square feet requires minor development plan approval; and

 Vice-Chairman
 Planning Director

WHEREAS, Section 122-868 (9) of the Land Development Regulations requires that restaurants, excluding drive-throughs, are allowed conditionally in the HNC-3 zoning district; and

WHEREAS, the applicant requested to expand the existing restaurant on-site by means of adding 1,365 square feet of consumption area, and 91 additional seats, a combination of which are proposed indoors and outdoors; and

WHEREAS, the matter came before the Planning Board at a duly noticed public meeting on April 21, 2011; and

WHEREAS, the Planning Board found that the application met the requirements cited in Section 108-196 (a) of the Land Development Regulations for minor development plan review for the addition of 900 square feet of consumption area, and the addition of 60 seats, a combination of which are proposed indoors and outdoors; and

WHEREAS, the Planning Board found that the application met the specific criteria for approval cited in Section 122-62 of the Land Development Regulations for consideration of conditional use for the addition of 900 square feet of consumption area, and the addition of 60 seats, a combination of which are proposed indoors and outdoors; and

 Vice-Chairman
 Planning Director

NOW THEREFORE BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.


Section 2. That the Planning Board recommends to the City Commission conditional approval of the application for minor development plan and conditional use, per Sections 108-91 (A.)(1) b.)and(c.) and 122-868 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as follows: To expand the existing restaurant on-site by means of adding 900 square feet of consumption area, and 60 additional seats for a total of 126 seats, a combination of which are proposed indoors and outdoors (RE# 00013250-000000,00013270-000000,00013260-000000), see attached plans with the following conditions:

(1.) Parking variance approval is obtained from the Planning Board.

(2.) Prior to building permit issuance, site plans are revised to demonstrate:

- a. Installation of grease traps on the kitchen sinks and dishwashers (based on the dimensions of sinks and dishwasher basins).
- b. Revise Sheet 4 to show the location of the existing stormwater drainage swale, and provide notation for reconstruction of the existing stormwater drainage swale.
- c. The proposed bicycle parking plan shall be revised to absolve concerns raised by the Fire Department prior to building permit issuance. Written approval demonstrating satisfaction of the concerns raised in the April 12, 2011 memo from the Fire Department must be provided to the Planning Department. The revised bicycle parking plan must also be provided to the Department of Engineering and General Services, and their written approval demonstrating plan satisfaction of the revised

 Vice-Chairman

 Planning Director

bicycle parking must also be provided to the Planning Department.

- (3.) No more than 126 seats (including accessory bar seats) shall be allowed to be used.
- (4.) That the applicant obtain a unity of title for 305 Petronia, 309 Petronia, and 729 Thomas Streets, and present it to the Planning Department prior to change of licensure to the 126 seats requested.
- (5.) That the applicant obtain City Commission approval for the existing structural encroachments on the site within 6 months of date of approval.
- (6.) Neighbors shall be notified, in writing, at least six weeks in advance of any special event.
- (7.) As required in Section 6-86 (b) of the Code of Ordinances, Blue Heaven may not receive more than five special event permits per year.
- (8.) Outdoor amplified music (live or recorded), shall end by 10:00 p.m. on weekdays and 11:30 p.m. on weekends, with exception to when the applicant has obtained Special Event Permit approval from the City Commission.
- (9.) At no time may more than the two exterior speakers (as demonstrated on page 4 of the site plans) be in use on the site, unless a higher number is expressly allowed within an approval for Special Event Permit.
- (10.) Impact fees for the additional 60 seats shall be paid in full within 12 months of final approval prior to issuance of certificate of occupancy.
- (11.) Deliveries must be received between 7:00 a.m. and 3:00 p.m.

Section 3. Permits associated with the development and construction contemplated by this approval shall be commenced within 12 months of the effective date of the approval, pursuant to Sections 108-203 (a.) and 122-63 (e) of the Land Development Regulations.

Section 4. This resolution does not constitute a finding as to ownership or right to

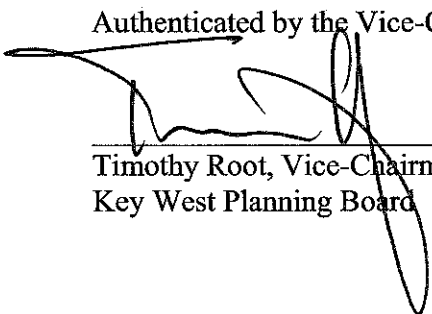
possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed at a regular meeting held this 21st day of April, 2011.

Authenticated by the Vice-Chairman of the Planning Board and the Planning Director.



Timothy Root, Vice-Chairman
Key West Planning Board



Date

6/1/11

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Resolution Number 2011-17

 Vice-Chairman
 Planning Director

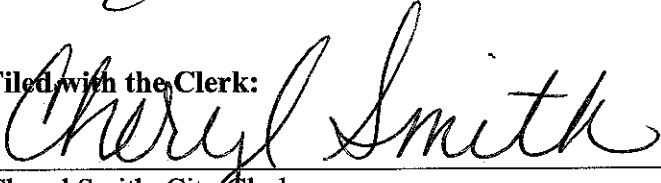
Attest:


Donald Leland Craig, AICP
Planning Director

5814

Date

Filed with the Clerk:

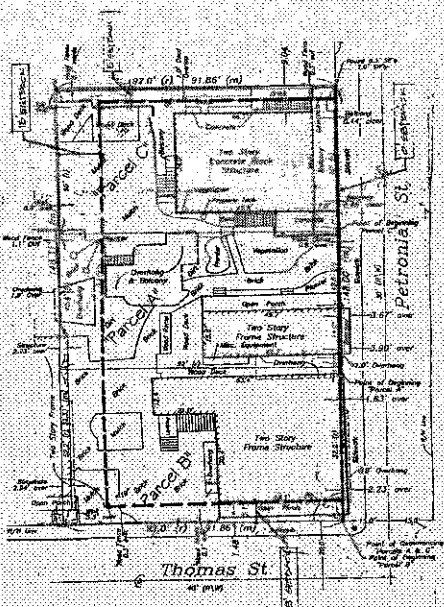

Cheryl Smith, City Clerk

6-1-11

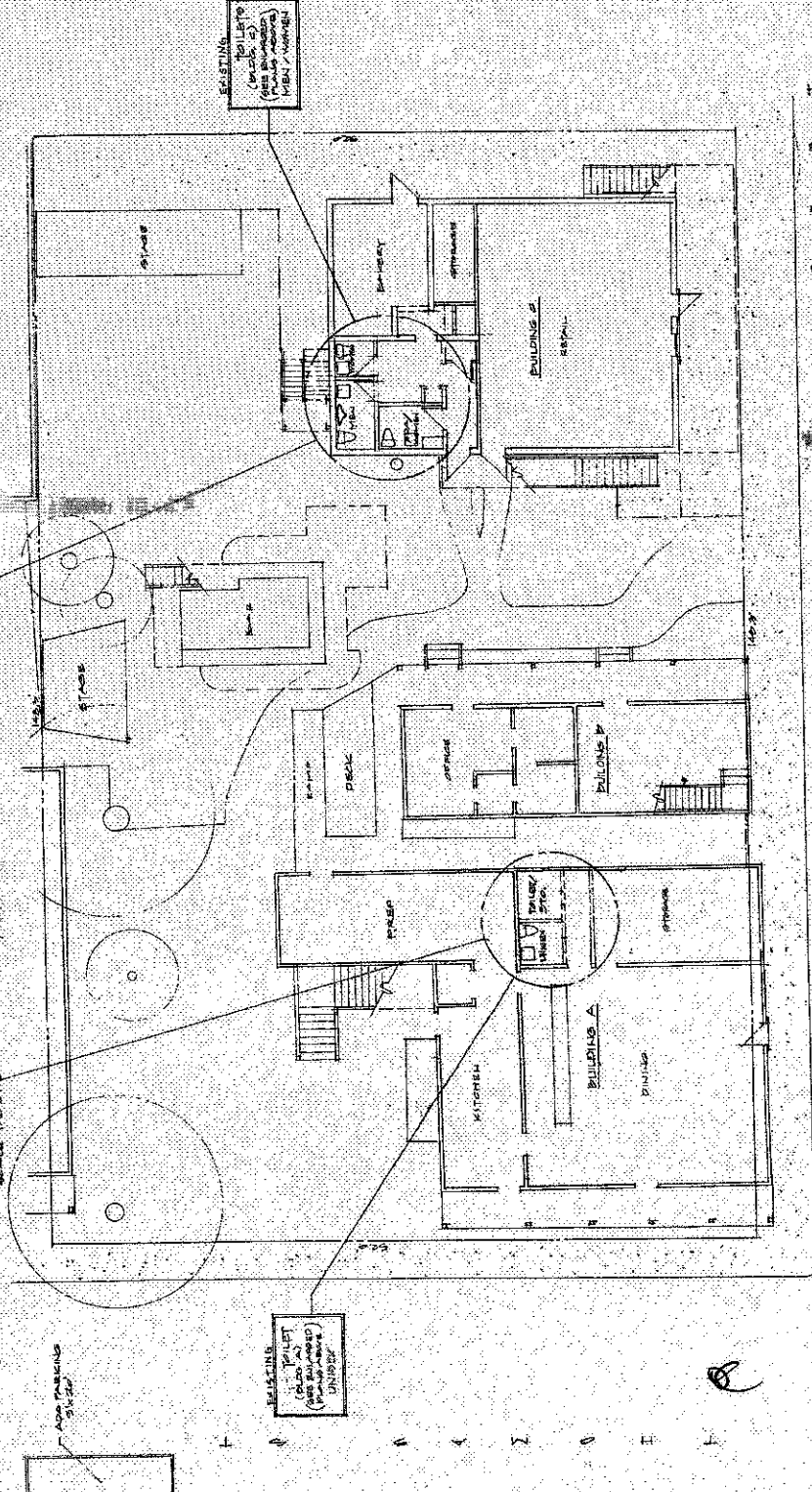
Date

 Vice-Chairman

 Planning Director



BUILDING 4
ENLARGED PLANADA TOILETS
FACILITY

[illegible]

QUEST	INDEX	QUEST	ANSWER
1		SITE PLAN SETS BACK SPACES, AND TOLERES	
2		CONSTRUCTION MEANS SCHEDULE LAST, AND MEANS RENTALS	
3		PERUSE	
4		BUILDING LAMINATE, LIGHTING, SOUND EFFECT DRAWING	

RESIDENTIAL UNITS	
BUILDING A	5 units
BUILDING B	1 unit
BUILDING C	5 units
Total	7 units

[illegible]

PROPOSED: 100% CIGARETTE TAX
INCREASE: 100% CIGARETTE TAX
BASED ON FIRE SAFETY

1. $2 \times 20 = 40$ 2. $20 \times 5 = 100$ 3. $20 \times 20 = 400$
4. $20 \times 20 = 400$ 5. $20 \times 20 = 400$ 6. $20 \times 20 = 400$
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97. $20 \times 20 = 400$ 98. $20 \times 20 = 400$ 99. $20 \times 20 = 400$
100. $20 \times 20 = 400$

At the time of the investigation, the following information was obtained from the records of the Department of the Interior, Bureau of Land Management, and the Bureau of Reclamation:

DATE	DESCRIPTION	AMOUNT	BALANCE
1/1/20	OPENING BALANCE	100.00	100.00
1/15/20	PAYROLL	25.00	75.00
1/20/20	RENT	15.00	60.00
1/25/20	UTILITIES	10.00	50.00
2/1/20	CLOSING BALANCE	50.00	50.00
TOTAL		100.00	100.00

$$A_{\text{total}} = A_{\text{top}} + A_{\text{bottom}} + A_{\text{side}}$$

Exposition: 19.12.19 / 11.6.2008

NOTE: AREAS 1-10 WILL NOT HAVE MORE THAN 157 CONVENTION

small groups by a loose ending

SITE - FIRST FLOOR PLAN

2014/07/27

Take

SITE - FIRST FLOOR PLAN

90412 (18) 31-06

1. *Chlorophyll a* (Chl a)

[illegible]

المجلة الدولية للدراسات القانونية

STORM DRAINAGE

WHALE A					
AGE	75	x	6	=	4.50 AF
	2.50	x	10	=	25.00 AF
AGE	50	x	7	=	3.50 AF
	2.50	x	10	=	25.00 AF
TOTAL AF					58.00 AF

PICTURE PAGEING

EXISTING	(EXISTING)	05K	20 SPACES
PARSED	(CONVERT)		20 SPACES
EXISTING	(CONVERT)		20 SPACES

(orders) *grasshopper*

[Handwritten signature]